

Order entered December 9, 2021



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-21-00242-CV

IN THE INTEREST OF M.C.M. AND M.A.M., CHILDREN

No. 05-21-00360-CV

MOLLY WILKERSON, Appellant

V.

MARK MALDONADO, Appellee

No. 05-21-00373-CV

IN THE INTEREST OF M.C.M. AND M.A.M., CHILDREN

**On Appeal from the 366th Judicial District Court
Collin County, Texas
Trial Court Cause Nos. 366-53554-2020, 366-51795-2021, and 366-50778-2021**

ORDER

In a prior order, we granted appellant's motion to proceed on a partial reporter's record, and that record has been filed. *See* TEX. R. APP. P. 34.6(c). In

the order, we cautioned appellant that any additions requested by another party will be at her expense. *See id.* 34.6(c)(3).

In a letter filed December 2, appellee informs the Court that he has requested the entire reporter's record as it is needed to adequately respond to appellant's brief. He further states that appellant has refused to pay the reporter's fee for the additional records. On the Court's own motion, we **ORDER** Antoinette Varela, Official Court Reporter for the 366th Judicial District Court, to file, by **December 28, 2021**, either (1) the additional reporter's records requested by appellee or (2) written verification that appellant has not paid the fee for preparing those records. We caution appellant that if the Court receives written verification of nonpayment and the additional reporter's records are not filed, the Court will presume that the omitted records support the trial court's judgment regarding any of appellant's evidentiary issues. *See Collins v. State*, No. 05-18-00498-CR, 2019 WL 2648168, at *2 (Tex. App.—Dallas June 27, 2019, pet. ref'd) (mem. op.); *Pearcy v. Brewer*, No. 05-16-00194-CV, 2016 WL 7473907, at *3 (Tex. App.—Dallas Dec. 29, 2016, pet. denied) (mem. op.).

On the Court's own motion, we extend the deadline for appellee's brief to thirty days after Ms. Varela files either the additional reporter's records or written verification of non-payment.

Also before the Court is appellant's December 8, 2021 emergency motion for temporary relief. We **DENY** the motion.

We **DIRECT** the Clerk of this Court to send a copy of this order to Ms. Varela and all parties.

/s/ ROBERT D. BURNS, III
CHIEF JUSTICE